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KING COUNTY COUNCIL



King County Public Rules

Title

RATE ADJUSTMENT REQUESTS BY PUBLIC SCHOOL DISTRICTS

Document Code No.
FIN 8-3 (PR)


Department/Issuing Agency

Department of Public Works/Surface Water Management Division

Effective Date

January 21, 1994



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Approved  12/21/93		

- 1.0 SUBJECT TITLE: Rate Adjustment Requests by Public School Districts
- 1.1 EFFECTIVE DATE: Thirty days after filing with the Clerk of the King County Council.
- 1.2 TYPE OF ACTION: This is a new Public Rule.
- 1.3 KEY WORDS: (1) Rate Adjustment; (2) Surface Water Management (SWM) Service Charge; (3) SWM Fee Waiver; (4) Public School Districts; (5) School Credit Program.
- 2.0 PURPOSE:
- 2.1 To establish uniform procedures for public school districts requesting Surface Water Management Rate Adjustments.
- 2.2 To establish uniform procedures for processing public school district requests for Surface Water Management Rate Adjustments.
- 2.3 To implement King County Code 9.08.080.B.6
- 3.0 ORGANIZATIONS AFFECTED:
- 3.1 Public school districts receiving Surface Water Management service fee bills which provide surface water management-related curriculum.
- 4.0 REFERENCES: Public Involvement Unit, Surface Water Management Division, 700 Fifth Avenue, Suite 2200, Seattle, Washington, 98104; telephone (206) 296-6519.
- 4.1 Legal Basis:
- 4.1.1 Revised Code of Washington (RCW) 36.89.080; RCW 36.89.085; RCW 35.67.200 through 35.67.290; RCW 36.29.020.
- 4.1.2 K.C.C. 9.08, Surface Water Management Program; 9.04, Surface Water Runoff Policy; Chapter 2.98, Rules of County Agencies.
- 4.1.3 King County Ordinance 8626 (1988); 7817 (1986); 7590 (1986); 10187 (1991).

5.0 DEFINITIONS:

- 5.1 "Director" means the Director of the King County Department of Public Works.
- 5.2 "Division" means the Surface Water Management Division.
- 5.3 "School District" means any public school district.

6.0 POLICIES:

- 6.1 Any public school district billed Surface Water Management service charges may request a rate adjustment from the Surface Water Management Division within three years of the date that the service charge was sent.
- 6.2 The public school district submitting a request for rate adjustment has the burden of proving the rate adjustment should be granted.
- 6.3 The period for payment of a Surface Water Management service charge is not extended by filing a request for rate adjustment.
- 6.4 Decisions on requests for rate adjustments will be made in accordance with the criteria set forth in K.C.C. 9.08.080 and this Public Rule. In accordance with K.C.C. 9.08.080, a request for rate adjustment by a school district may be approved when:
 - 6.4.1 The parcel is owned or leased by a public school district which provides activities which directly benefit the Surface Water Management Program. The activities may include: curriculum administered by the school district to students or teachers that is specific to the issues and problems of surface and storm water management, and hands-on activities which expose students to the efforts required to restore, monitor, or enhance the surface and storm water management system. Pursuant to RCW 36.89.085, the amount of the rate adjustment shall be determined by the Director based upon the cost of the activities to the school district but not to exceed the value of the activity to the Surface Water Management Program. Determination of which activities qualify for the surface water management service charge reduction will be made by the Surface Water Management Division. Reductions in surface water management service charges will only be granted to school districts which provide programs that have been evaluated by the Surface Water Management Division. The rate adjustment for the school district activity may be applied to any parcel in the service area which is owned or operated by the school district.

- 6.5 The Director shall notify each rate adjustment applicant of the decision regarding the request. This notification shall be in writing and mailed within thirty days of the SWM Division's receipt of the completed "Request for Rate Adjustment" form unless additional information is needed for completion of the review.

7.0 PROCEDURES:

- 7.1 School District Submits a "Request for Rate Adjustment" form with the proper "Qualifying Condition" indicated and adequate documentation attached in compliance with King County Code 9.08.080.
- 7.2 Division Reviews the Request for Rate Adjustment and determines if it meets King County Code 9.08.080 or if any further documentation will be required from the school district. Documentation which may be required could include a report identifying the SWM-related curriculum administered by the school district in the relevant school year. The report must document the number of teachers, classes, hours of instruction, and costs involved in administering the curriculum.

8.0 RESPONSIBILITIES:

- 8.1 The public school district is responsible for proving that the rate adjustment should be granted (King County Code 9.08.080.C).
- 8.2 The public school district is responsible for paying the surface water management service charge by the date specified on the statement. Filing a Request for Rate Adjustment does not extend the period for payment (King County Code 9.08.060.A).
- 8.3 The Division is responsible for reviewing each Request for Rate Adjustment and determining if the Request meets the rate adjustment conditions established in King County Code 9.08.080.
- 8.4 The Director is responsible for approving Requests for Rate Adjustment.

9.0 APPENDICES:

- 9.1 Request for Rate Adjustment Form.

Surface Water Management Program REQUEST FOR RATE ADJUSTMENT Requirements

- A. A "Request for Rate Adjustment" must be filed within three years of the date that the service charge was mailed. Late or incomplete forms will be returned.

In accordance with King County Code 9.08.080 C, the property owner shall have the burden of proving the rate adjustment sought should be granted. Pursuant to King County Code 9.08.060 A., filing of such a request does not extend the period for payment.

- B. A "Request for Rate Adjustment" must identify which of the seven qualifying conditions specified in King County Code 9.08.080 apply to the property. Each request must also include all of the documentation required for that specific qualifying condition by the "Rate Adjustment Requests" Public Rule and Regulation. If the required documentation is not included, the Request will be returned.
- C. Questions about "Request for Rate Adjustment" forms can be answered by calling a Surface Water Management Customer Service Representative at 296-6519.
- D. Send Completed "Request for Rate Adjustment" forms by certified mail or hand deliver to:

**Customer Account Service Section
Surface Water Management Division
700 Fifth Avenue, Suite 2200
Seattle, WA 98104**

Property Tax Account Number *	Contested Year(s)	Property Owner's Name
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* 12-digit number on the King County Real Estate Tax Statement issued for this property

Qualifying Condition: Circle the number of the condition which applies to this property and qualifies the property for a rate adjustment request. (Refer to King County Code 9.08.080 for detailed definitions of the qualifying conditions listed below.)

1. The parcel is the personal residence of a person determined by the King County Assessor to qualify for a low-income senior citizen exemption under RCW 84.36.381.
2. The acreage of the parcel is in error.
3. The parcel is non-residential and the actual impervious surface coverage places it into different rate category.
4. The parcel is non-residential and meets King County's definition of "Open Space."
5. The parcel is served by at least one retention/detention system required by King County Code 9.04 or can be shown to meet conditions of King County Code 9.04, and this facility is maintained at the owner's expense to standards set by the County.
6. The parcel is owned or leased by a public school district which provides activities which directly benefit the Surface Water Management Program.
7. The service charge bill is otherwise not calculated in accordance with the terms of King County Code Chapter 9.08.

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Describe the reason why the condition identified on the other side of this form merits a rate adjustment. (Attach additional pages if necessary).

List the support documents submitted as part of this Request for Rate Adjustment. (Attach additional pages if necessary.)

Request for Rate Adjustment Contact Person

Name:

Day Telephone:

Address:

I request an adjustment of the Surface Water Management charge for the property and year(s) identified on the reverse side of this form. I hereby certify that the information presented in this request is a true and fair presentation of the facts relative to this request.

Signed this _____ day of _____, 19_____

Signature _____